PROCEEDINGS OF THE BROWN COUNTY PUBLIC SAFETY COMMITTEE

Pursuant to Section 19.84 Wis. Stats., a regular meeting of the **Brown County Public Safety Committee** was held on Wednesday, January 8, 2019 at the Brown County Sheriff's Office, 2684 Development Drive, Green Bay, Wisconsin.

Present:

Chair Buckley, Supervisor Gruszynski, Supervisor Borchardt, Supervisor Nicholson, Supervisor Schadewald

Also Present: Director of Administration Chad Weininger, Public Safety Communications Director Cullen Peltier,

Supervisor Sieber, Supervisor Brusky, Emergency Management Director Lauri Maki, Sheriff Todd Delain,

Clerk of Courts John Vander Leest

I. Call meeting to order.

The meeting was called to order by Chair Pat Buckley at 5:00 pm.

II. Approve/Modify Agenda.

Motion made by Supervisor Borchardt, seconded by Supervisor Gruszynski to approve. Vote taken. <u>MOTION</u>
<u>CARRIED UNANIMOUSLY</u>

III. Approve/Modify Minutes of December 3, 2019.

Motion made by Supervisor Borchardt, seconded by Supervisor Gruszynski to approve. Vote taken. <u>MOTION</u> CARRIED UNANIMOUSLY

Comments from the Public. None.

- 1. Review Minutes of:
 - a. Public Safety Communications Advisory Board (December 17, 2019).

Motion made by Supervisor Gruszynski, seconded by Supervisor Borchardt to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

District Attorney

2. Budget Adjustment Request (19-100): Any increase in expenses with an offsetting increase in revenue.

With the addition of three Victim/Witness Specialist positions, there is a need for additional computers and related accessories. The cost will be borne in part by an increase in state grant and aid revenue, as a portion of the costs are reimbursable. The remaining costs can be covered by a transfer from the Expert Witness budget, as we do not anticipate using all of those funds before the end of 2019.

Motion made by Supervisor Schadewald, seconded by Supervisor Nicholson to approve. Vote taken. <u>MOTION</u>
<u>CARRIED UNANIMOUSLY</u>

3. District Attorney Report.

District Attorney David Lasee reported there have been a number of changes in the office at the beginning of the year. The three new victim witness positions started this week and Brad Linzmeier has been hired as an investigator. Linzmeier is a former detective with the GBPD and will be a great addition to the DA's office. He will be working on a part-time basis starting in two weeks. They have also hired a new subpoena support staff person and are still in the process of filling the last attorney position.

Lasee informed there will be a budget adjustment coming for a vehicle for the new investigator and Weininger explained the process of this. The car will be made available to the DA's office when the investigator starts and then if it is not approved it will revert back. Lasee said there will also be a budget adjustment for the investigator to fund things like gas and maintenance on the vehicle.

Motion made by Supervisor Gruszynski, seconded by Supervisor Borchardt to receive and place on file. Vote taken. <u>MOTION CARRIED UNANIMOUSLY</u>

Public Safety Communications

4. Budget Status Financial Report for November 2019 (Unaudited).

Director of Public Safety Communications Cullen Peltier informed their budget is looking good for the end of the year and he feels they may be able to cover the shortfall from the extra maintenance they had to do.

Motion made by Supervisor Gruszynski, seconded by Supervisor Borchardt to receive and place on file. Vote taken. <u>MOTION CARRIED UNANIMOUSLY</u>

5. Budget Adjustment Request (19-101): Any increase in expenses with an offsetting increase in revenue.

This Public Safety budget adjustment is related to the WI Dept. of Health Services grant received for dispatch agencies to receive training to provide telephonic CPR to callers.

Motion made by Supervisor Gruszynski, seconded by Supervisor Borchardt to receive and place on file. Vote taken. <u>MOTION CARRIED UNANIMOUSLY</u>

6. Director's Report.

Peltier informed the CAD training for admin users will start at the end of January. Staff is taking online classes to prepare for that right now. Everything is still on target for the November go live. Buckley asked about training for the end users. Peltier said training will start in August. The end users stay updated through the groups that were established at the end of the prior go live. Some of the hardware has also been installed as of this time.

Motion made by Supervisor Gruszynski, seconded by Supervisor Borchardt to receive and place on file. Vote taken. <u>MOTION CARRIED UNANIMOUSLY</u>

Motion made by Supervisor Gruszynski, seconded by Supervisor Nicholson to suspend the rules to take Item 21 at this time. Vote taken. MOTION CARRIED UNANIMOUSLY

Although shown in the proper format here, Item 21 was taken at this time.

Emergency Management

7. Budget Status Financial Report for November 2019 (Unaudited).

Motion made by Supervisor Gruszynski, seconded by Supervisor Nicholson to receive and place on file. Vote taken. <u>MOTION CARRIED UNANIMOUSLY</u>

8. Director's Report.

Emergency Management Director Lauri Maki reported they recently had the initial objective meeting for the airport exercise that will be held in August. The next meeting will be the initial planning meeting where the major capabilities they want to test are broken down into more critical tasks and that meeting will be held next week. The department is also working on a tabletop exercise with Bellevue and Maki said they really want to start doing more on the local level. He wants to start holding quarterly meetings with the reps of the municipalities to prepare them for what to expect and what they need to be responsible for on their end. In the past a lot of this has been reactionary and Maki is trying to flip that around.

A flood presentation will be held on January 14 for elected officials. The goal is to get officials from across the County to attend. Presentations will be given by the DNR, Sea Grant Institute, National Weather Service and Army Corps of Engineers. Maki continued that he has been meeting with Sheriff Delain frequently to work on the responder side of flood preparedness and identifying what resources are available and identifying critical infrastructure and doing whatever they can to prepare for flooding that will likely happen in the spring.

Buckley asked if Emergency Management works with any non-profits to help with calls that come in and directing them where to get the appropriate help as this is one of the things that was in issue when the East River flooded in the past. Maki responded they have an idea they are working on in anticipation of the public to get the message out and he will be sure there is a number for people to call. They are also looking at the possibility of putting a CERT team together, but that is in the infancy stage at this time as this would involve volunteers and that brings some liability and other issues.

With regard to the airport exercise mentioned earlier, Schadewald asked if local high school kids will be invited to participate. Maki said they will take any volunteers who are appropriately aged and they usually say high school and above. He has a list of people who participated last time that he will contact to see if they would like to participate again.

Motion made by Supervisor Schadewald, seconded by Supervisor Nicholson to receive and place on file. Vote taken. <u>MOTION CARRIED UNANIMOUSLY</u>

Circuit Courts, Commissioners, Probate

9. Director's Report.

No report; no action taken.

Motion made by Supervisor Gruszynski, seconded by Supervisor Nicholson to take Item 20 at this time. Vote taken. MOTION CARRIED UNANIMOUSLY

Although shown in the proper format here, Item 20 was taken at this time.

Clerk of Courts

10. Clerk of Courts Report.

Clerk of Courts John Vander Leest provided a handout, a copy of which is attached, and spoke to the bullet points in the report.

Vander Leest informed he hopes to end the budget for 2019 \$50,000 - \$75,000 to the positive. Buckley suggested he bring a graph back to a future meeting of the financial status of the office over the last 6 – 8 years to show how much improvement there has been. Vander Leest noted that when he took office they were running \$300,000 - \$330,000 over budget. He said his office has had good support from the judges and they have also worked hard and been more active in collections and they are also very cost and expense conscience.

Motion made by Supervisor Schadewald, seconded by Supervisor Nicholson to receive and place on file. Vote taken. <u>MOTION CARRIED UNANIMOUSLY</u>

Medical Examiner

11. Medical Examiner's Report.

No report; no action taken.

Sheriff

12. Update re: Jail Addition – Standing Item.

Sheriff Delain informed the jail project is moving forward with bids and Public Works has started clearing the site. The bidding process is handled through Administration and they are helping with shoring up the final costs.

No action taken.

13. Budget Status Financial Report for November 2019 (Unaudited).

Delain said expenses are at 92.3% which is very close to the target of 91.7%. Revenues are also very close to target at 90.7% percent through November, but Delain noted there are some significant payments that come in at the end of the year such as from contracts, school districts and the Packers. It is antiporated the revenue will exceed projections but overall the budget will be very, very close. Delain feels they would have definitely been in the black, but personnel numbers are going to be significantly higher than what was budgeted as he has mentioned a number of times in the past, but those issues have been addressed in the 2020 budget.

Motion made by Supervisor Schadewald, seconded by Supervisor Nicholson to receive and place on file. Vote taken. <u>MOTION CARRIED UNANIMOUSLY</u>

14. Key Factor Report – Data through November 2019 (Unaudited).

Motion made by Supervisor Schadewald, seconded by Supervisor Nicholson to receive and place on file. Vote taken. <u>MOTION CARRIED UNANIMOUSLY</u>

15. Budget Adjustment Request (19-104): Any increase in expenses with an offsetting increase in revenue.

This budget adjustment is to accept a grant from BayCare Clinic called Resch Center Citizen Aid Readiness. The grant provided funds to purchase 16 cabinets each containing 8 first aid kits including SWAT-T tourniquets, pressure dressings, gauze, mylar blankets and other items. Those cabinets will be placed around the Resch Center to provide items in the event of a mass-casualty incident. The need for preparedness supplies was identified during training of law enforcement, fire and EMS personnel of an active shooter situation at the Resch Center in early 2019. There is no cost to the county – the grant fully funds these aid cabinets and kits.

Motion made by Supervisor Gruszynski, seconded by Supervisor Nicholson to approve. Vote taken. <u>MOTION</u>
<u>CARRIED UNANIMOUSLY</u>

16. Budget Adjustment Request (20-002): Any increase in expenses with an offsetting increase in revenue.

This request is to increase overtime and fringe benefits to reflect participating in the 2019-2020 Click It or Ticket/Speed Enforcement Task Force grant from the Wis. DOT BOTS Office. This grant passes through the Green Bay Police Department and is shared by other county agencies. Increased expenses for overtime patrols are offset by grant revenue.

This is an annual grant program that has been provided to the County in prior years. However, it was not included in the 2020 budget because the amount had not been determined when the budget was created. This adjustment is for only the calendar year 2020 portion - \$20,000 estimated Brown County share.

Motion made by Supervisor Schadewald, seconded by Supervisor Nicholson to approve. Vote taken. <u>MOTION</u>
<u>CARRIED UNANIMOUSLY</u>

17. Budget Adjustment Request (20-003): Any increase in expenses with an offsetting increase in revenue.

This request is to increase overtime and fringe benefits to reflect participating in the 2019 – 2020 Local Alcohol Enforcement Task Force grant from the Wis. DOT BOTS Office. This grant passes through the Green Bay Police Department and is shared by other county agencies. Increased expenses for overtime patrols are offset by grant revenue.

This is an annual grant program that has been provided to the County in prior years. However, it was not included in the 2020 budget because the amount had not been determined when the budget was created. This adjustment is for only the calendar year 2020 portion -0 \$33,000 estimated Brown County share.

Motion made by Supervisor Borchardt, seconded by Supervisor Nicholson to approve. Vote taken. <u>MOTION</u>
<u>CARRIED UNANIMOUSLY</u>

18. Budget Adjustment Request (20-004): Any increase in expenses with an offsetting increase in revenue.

This request is to increase overtime and fringe benefits to reflect participating in the 2019 – 2020 OWI Enforcement Task Force grant from the Wis. DOT BOTS Office. This grant passes through the Green Bay Police Department and is shared by other county agencies. Increased expenses for overtime patrols are offset by grant revenue.

This is an annual grant program that has been provided to the County in prior years. However, it was not included in the 2020 budget because the amount had not been determined when the budget was created. This adjustment is for only the calendar year 2020 portion - \$24,000 estimated Brown County share.

Motion made by Supervisor Borchardt, seconded by Supervisor Gruszynski to approve. Vote taken. <u>MOTION</u>
<u>CARRIED UNANIMOUSLY</u>

19. Sheriff's Report.

Delain informed things are going well at the Sheriff's Office. A lot of projects they have been working on continue to move forward. Activity at the courthouse has increased over the last few days and security levels have had to be increased as well. There has been security screenings set up at specific courtrooms on certain days and there has also been additional security around the courthouse. They are prepared for this but it does become a hassle and therefore he appreciates the support of the single entry screening project.

Motion made by Supervisor Schadewald, seconded by Supervisor Borchardt to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

Communications

20. Communication from Supervisor Brusky re: I request that the Brown County Board of Supervisors send a resolution to Wisconsin state legislators supporting Assembly Bill 513/Senate Bill 460 that would create a Wisconsin Prosecutor Board/Council which would promote funding and legislation that will directly affect court operations, District Attorney funding, criminal justice reform, and matters impacting incarceration issues down to the county level. Referred from December Executive Committee. Action at December Executive Committee: To forward communication to Corporation Counsel for drafting of a resolution and bring back to the next Executive Committee meeting and also to forward to Public Safety Committee.

Buckley informed a resolution regarding this was approved at the Executive Committee earlier in the week. Supervisor Brusky provided a handout, a copy of which is attached, which was distributed at the WCA Judicial and Public Safety Steering Committee meeting. This has been brought forward due to the shortage of District Attorneys and she informed Brown County still needs about nine more. The shortage of Assistant DA's is continuing to be an issue and the creation of a State Prosecutors Board seems to be a solution. This legislation is currently pending. The Assembly did pass this on December 4 by a vote of 8 to 1. No hearing has been scheduled for the Senate Committee which is the Committee on Insurance, Financial Services, Government Oversight and Courts. Senator Craig is Chair of that Committee and Brusky spoke with his Administrative Aide earlier in the day. There is some reluctance on Senator Craig's part because there is a fiscal component and he does not want to do something outside of the budget, but the door has not been completely closed on this and other counties have reached out urging approval.

Motion made by Supervisor Schadewald, seconded by Supervisor Nicholson to approve. Vote taken. <u>MOTION</u>
<u>CARRIED UNANIMOUSLY</u>

21. Communication from Supervisor Sieber: Discussion with possible action on a policy allowing therapy animals in the 911 Center. *Referred from December County Board*.

Supervisor Sieber informed he has been contacted by a few people who work in the 911 Center about ideas and options to add therapy dogs or animals to the center and Peltier encouraged Sieber to have this put on the agenda. Peltier said he is fine with looking at some options and ideas and working with his staff on this. He is opposed to having a center dog that the County would be responsible for, but staff has brought forward some other options. He would like a little time to research some of the ideas brought forward.

Buckley said employees should know some of the parameters such as allergy issues and who will be responsible for the dog and whether they would be compensated for caring for a dog before staff gets too far into this. Peltier said his staff has talked to a local business who does something like this and they got some ideas there. He reiterated he does not want it to be a center dog by any means and added that staff are sometimes allowed to bring their dogs in when there are significant events and it does ease some of the tension and they have not had any issues with that to date.

Schadewald said he would like this investigated further because if dogs are allowed at one location, it is likely that employees in other locations will want the same thing so he wants this to come back to the Committee to talk about further so the Committee and Board knows what to envision for other locations. Buckley added that if this is something that is going to happen across the County, HR would also need to be involved. Director of Administration Chad Weininger added that right now Peltier would have the ability to administratively do this if there is no fiscal because there is nothing in the ordinances that prohibits dogs in county buildings. If a county wide policy is going to be created on this, it would need to go through the oversight Committee, Executive Committee and County Board.

Motion made by Supervisor Schadewald, seconded by Supervisor Gruszynski to refer communication to Public Safety Communications Director Peltier to investigate further and report back to Public Safety Committee.

Vote taken. MOTION CARRIED UNANIMOUSLY

<u>Other</u>

22. Audit of bills.

Motion made by Supervisor Schadewald, seconded by Supervisor Gruszynski to acknowledge receipt of the bills. Vote taken. MOTION CARRIED UNANIMOUSLY

23. Such other matters as authorized by law.

Buckley informed that on February 1 the Gamblers will be paying tribute to police officers and fire fighters. There will be specially designed jerseys that will be auctioned off and there will also be commemorative tee shirts for sale. Proceeds from the event will go to the FOP Camp in East Troy.

The next meeting date was also discussed and February 5 at 5:00 pm was tentatively set.

24. Adjourn.

Motion made by Supervisor Schadewald, seconded by Supervisor Gruszynski to adjourn at 5:39 pm. Vote taken. <u>MOTION CARRIED UNANIMOUSLY</u>

Respectfully submitted,

Therese Giannunzio Administrative Specialist

CLERK OF CIRCUIT COURT

100 SOUTH JEFFERSON STREET
P.O. BOX 23600
GREEN BAY, WISCONSIN 54305-3600
TELEPHONE (920) 448-4155
FAX (920) 448-4156
WWW.CO.BROWN.WI.US/CLERK_OF_COURTS



JOHN A. VANDER LEEST CLERK OF CIRCUIT COURT

1/8/2020

Public Safety Committee

- Revenues have increased about \$200K in 2019 compared to 2018. This is primarily due to SDC (State Debt collections).
- New Court Coordinator in Branch 2 started in December 2019.
 She was a Clerk for Outagamie County
- GAL rates are now \$85, juvenile GAL is \$70 per State Statute
- New County website is a positive. I will be adding more information to make it more customer friendly

BOARD OF SUPERVISORS

Brown County



BROWN COUNTY BOARD OF SUPERVISORS GREEN BAY, WISCONSIN

(Please deliver to County Clerk after motion is made for recording into minutes.)



20

DODGE COUNTY DISTRICT ATTORNEY KURT F. KLOMBERG

DISTRICT ATTORNEY'S ASSOCIATION PRESIDENT-ELECT, WISCONSIN

State Prosecutor's Program

Recent Budget Success

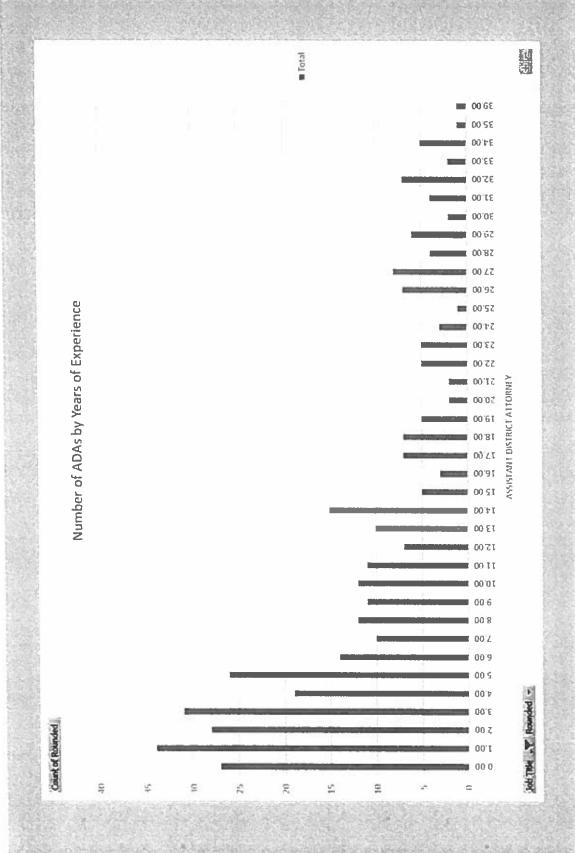
- Approximately 65 new ADA positions State-wide (60 positions)
- Full pay progression for ADA and DDAs (Approximately \$4100 per year merit based progression) 2

History of Program

- Prior to 1990 the District Attorney and non-elected prosecutors were County employees (like Sheriff or Clerk of Courts)
- 1990 Became State Employees
- End raises through migration, which hurt poor and rural counties.
- Creation of a Statewide metric to determine county-by-county need based on case loads which was to be a benefit to poor and rural counties.

Reality of Anticipated Benefits of State DA's

- Pay progression for the attorneys at first was reasonable, until about 2002.
- Then pay stagnated
- Attorneys again began to get raises through migration migration to the private sector.
- Young attorneys would come in, get experience and no meaningful wage increases
- After 1.0 years of this, the program had a huge doughnut hole with more than 1/3 of prosecutors at 20+ years of experience, and ½ with less than 5 years.
- It has even become difficult to recruit qualified candidates for open Elected DA positions.



Averages of Years of Service by Job and Consequence

■ ADA - 10.27

■ DDA - 20.24

■ DA - 13.12

21 New DA's in last election

Several that had no prosecution experience

A group that had no legal experience

Vacancies are difficult to fill

Gubernatorial appointment calls for applicants have gone for extended periods of time without response – the core of mid-level prosecutors is very small.

Consequences

Extreme Turnover - [Marathon County Example from 2003-2006]

Loss of the middle ranks and ultimately lack of senior staff

Crushing caseloads

System delays that directly impact victims and costs to counties

Poor decision making, costing counties – State employees make the decisions and countles pay for them

Positions suffered also

- Between 1990 and 2019 there were no meaningful allocations of new positions.
- In 2003 the program actually cut 15 positions State-wide
- Prior to this State Budget that added the 60 new positions we were more than 140 positions short according to the State's own audit, which was based on that metric developed to identify county-bycounty need.

Costs to Counties

- Prosecutors do not have the time to fully evaluate cases prior to charging poor cases, lack of proof, delays
- Cases that should be won are lost due to inexperience hurting victims
- Abdication of the gate-keeping function of District Attorneys due to inexperience and power differential between police and prosecutors
- County expending large amounts of unnecessary resources
- Jury expenses
- Clerk expenses
- Expert expenses
- County being forced to fund prosecution resources directly.

WDAA Role and Make Up

- WDAA is an all volunteer Board
- Currently made up of 12 members
- 4 Officers (President, President-Elect, Past President and Secretary Treasurer) who must hold the position of Elected District Attorney
 - 6 general Board members who can be Elected DA, DDA, ADA or full-time Special Prosecutors
- The president of Association of State Prosecutors or designee
- . The Attorney General or designee
- Everyone is a working prosecutor and work for WDAA takes a second seat to Office responsibilities.

WDAA has been marginally effective

- Prior to this year
- No meaning full position allocations over the last 3 decades
- Did accomplish Statutory Pay Progression in 2011
- But only on a budget-to-budget basis
- No pay progression or underfunded pay progression for several budgets
- Some movement in some legislation impacting criminal justice and prosecutors
- Hearsay prelims
- Threats and assaults to prosecutors
- Other minor matters

WDAA Primary Difficulty in Effectiveness

■ Lack of time

Lack of continuity and institutional memory and direction

Lack of cohesion

Lack of lasting relationships with Legislators and Governor

The Solution for the DA Program and the Counties it Serves

The Wisconsin Prosecutor Board/Council

Independence of the State Prosecutors Office

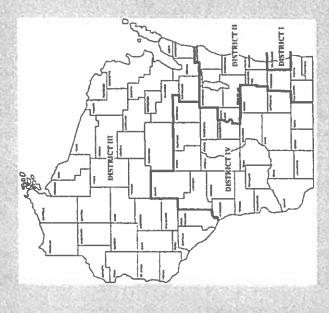
Similar to State Public Defender's Board and State Public Defender

Selection of the 11-member Board

- District Attorney's in each Appeal District would elect two representatives. (4 Districts, 2 members each for 8 members)
- Because Milwaukee is its own District, the DA and one DDA selected by the District Attorney would be District 1's members.
- 2 non-elected prosecutors (DDA's and ADA's) would be elected by a majority of non-elected prosecutors, though they could not come from the same county. (2 members)
- The Attorney General would fill the remaining seat. (1 member)
- Elected positions will be 3-year staggered terms.

Court of Appeals Districts

- District
- Milwaukee County
- District II
- Calumet, Fond du Lac, Green Lake, Kenosha, Manitowoc, Ozaukee, Racine, Sheboygan, Walworth, Washington, Waukesha, Winnebago counties
- District III
- Ashland, Barron, Bayfield, Brown, Buffalo, Burnett, Chippewa, Door, Douglas, Dunn, Eau Claire, Florence, Forest, Iron, Kewaunee, Langlade, Lincoln, Marathon, Marinette, Menominee, Oconto, Oneida, Outagamie, Pepin, Pierce, Polk, Price, Rusk, Sawyer, Shawano, St. Croix, Taylor, Trempealeau, Vilas, Washburn counties
- District IV
- Adams, Clark, Columbia, Crawford, Dane, Dodge, Grant, Green, Iowa, Jackson, Jefferson, Juheau, La Crosse, Lafayette, Marquette, Monroe, Portage, Richland, Rock, Sauk, Vernon, Waupaca, Waushara, **Mood countles**



Board Responsibilities

Submit the budget to the Governor for inclusion in the State Budget Advise Governor and Legislature on allocation of prosecutor resources Oversee the State Prosecutors Office Executive Director

Set policy initiatives for the Executive Director

Advise Governor and Legislature on existing law or proposed legislations and make recommendations to the legislature

State Prosecutors Office

- Employees
- Executive Director
- Legislative Liaison
- Executive Assistant
- Dutles
- Prepare all documents, including State Budget, for the Board's approval
- Carry out directives and policy directions of the Board
- Administrate allocation of the State Special Prosecutor Fund
- Administrate the State District Attorney's Program

Current Legislation to Create the Board

- 2019 Assembly Bill 513
- October 7, 2019 Introduced by Representatives Tusler, McGulre, Born, Ott, Bowen, Edming, Kurtz, Mürsau, Neubauer, Nõväk, Petryk, Riemer, Schraa, Titti, Zamarripa and Vruwink, cosponsored by Senators Wanggaard and Berniêr.
- Referred to Committee on Government Accountability and Oversight.
- 2019 Senate Bíli 460
- September 27, 2019 Introduced by Senators Wanggaard and Bernier, cosponsored by Representatives Tusler, McGüire, Born, Ott, Bowen, Edming, Kurtz, Mürsau, Neubauer, Novak, Pētryk, Riemēr, Schraa, Titti, Zamarripa and Vruwink.
 - Referred to Committee on Insurance, Financial Services, Government Oversight and Courts.

Counties will be served by the Board

- WDAA is a volunteer group and not able to devote the time and effort needed to promote the program's Under ourrent situation, there is no effective structure to advocate for the District Attorney Program nterests in the long term.
- Without Board, the DA Program will continue to falter and be ignored leaving County Budgets to cover the slack and meet public safety demands.
- District Attorney funding, criminal justice reform, and matters impacting incarceration issues down to Board will be effective in promoting funding and legislation that will directly benefit court operations,